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I hereby certify that this transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 via Label No. EV535090932US, on January 31, 2005, addressed to: Mail Stop RCE, Commissioner for Patents, Alexandria, VA. 22313-1450.

Diana S. Nologo, Paralagal

January 31, 2005

Diane S. Nelson, Paralegal (Date)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

09/872,214

Applicant

Thomas P. Griego et al.

Filed

May 31, 2001

Title

Submicron And Nano Size Particle Encapsulation By Electrochemical Process And

Apparatus

TC/A.U.

1753

Examiner

Brian L. Mutschler

Confirm. No.

2401

Docket No.

31248-1001

Mail Stop: RCE

Commissioner for Patents United States Patent and Trademark Office PO Box 1450 Alexandria, Virginia 22313–1450

AMENDMENT and RESPONSE TO OFFICE ACTION

Dear Sir:

This paper constitutes a submission as required by 37 CFR 1.114, Request for Continued Examination. Accordingly, Applicant requests that the finality of the Office Action dated July 29, 2004 be withdrawn pursuant to 37 CFR 1.114. In response to the Office Action of July 29, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected on page 2 of this paper.

Remarks begin on page 8 of this paper.